

July 21, 2000

Re: 00-0207

John T. Kennedy  
Special Asst. Attorney General  
Atty. at Law  
500 Davis St., Ste. 701  
Evanston, IL 60201

Michael J. Halpin  
Asst. Atty. General  
Office of the Attorney General  
Land Acquisition Bureau  
100 W. Randolph St., 12th Fl.  
Chicago, IL 60601

Katherine A. Donofrio, Vice President  
North Shore Gas Company  
130 E. Randolph Dr., 18th Fl.  
Chicago, IL 60601  
k.donofrio@pecorp.com

Dear Sir/Madam:

Enclosed is a copy of the Memorandum from the Hearing Examiner to the Commission regarding recommended action at the Bench Session on July 19, 2000.

Sincerely,

Donna M. Caton  
Chief Clerk

**Delivered by Inter-Office Mail to:**

John Reichart & Andrew G. Huckman, Office of General Counsel,  
Illinois Commerce Commission, 160 N. LaSalle St., Ste. C-800,  
Chicago, IL 60601-3104

DMC:bjs  
Enclosure

**Docket No:** 00-0207  
**Bench Date:** 7/19/00  
**Deadline:** N/A

**MEMORANDUM**

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**TO:** The Commission

**FROM:** Deborah King, Hearing Examiner

**DATE:** July 6, 2000

**SUBJECT:** Department of Transportation, State of Illinois  
-vs-  
North Shore Gas Company, an Illinois Corporation

Petition for approval of the taking or damaging of certain properties in Lake County, Illinois by exercising the right of eminent domain.

**RECOMMENDATION:** Enter Order granting Motion and dismissing complaint.

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On March 3, 2000, Department of Transportation ("Complainant") filed a verified complaint against North Shore Gas Company ("Respondent") seeking Commission approval to take certain property owned by Respondent under eminent domain proceedings.

On June 1, 2000, Complainant filed a motion withdrawing its petition. Neither the Respondent nor the Staff responded to the motion. On June 14, 2000, the Hearing Examiner marked the record "Heard and Taken." Accordingly, I recommend that the motion be granted and the proceeding be dismissed with prejudice.

DK:fs